

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

Civil Action No. 03 30298 MAP

JAMES TULGAN,
Plaintiff

v.

BERKSHIRE ARMORED CAR
SERVICES CO., INC. PROFIT SHARING
PLAN, BERKSHIRE ARMORED CAR
SERVICES CO., INC., GERARD S.
REDER AND JACQUELINE POWERS

Defendants

PLAINTIFF'S MOTION TO CONTINUE
SCHEDULING CONFERENCE

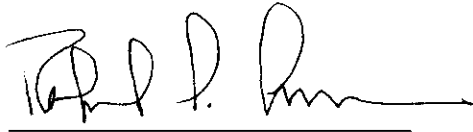
The plaintiff moves the Court to reschedule the initial scheduling conference in the above case from its present date on March 15, 2004 at 10 a.m. until some later date. The reason for the request is that Attorney Robert Leonard, the senior attorney representing the plaintiff, is scheduled to be in Florida attending the wedding of an attorney in his firm to be held on the prior Saturday. Attorney Leonard's flight does not return to Massachusetts until the evening of March 15, 2004.

The attorney for three of the defendants has assented to this motion. The fourth defendant, Jacqueline Powers, has not served an answer on the plaintiff although Attorney Houghton who represents three of the defendants, has advised plaintiff's counsel he believes Ms. Powers filed a pro se answer with the Court. Counsel for the plaintiff has not yet seen that

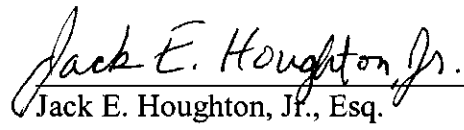
answer and, therefore, did not contact Ms. Powers concerning this motion. A copy of this motion is being mailed to Ms. Powers at the address at which the complaint was served to her.

ASSENTED TO: The Defendants,
Berkshire Armored Car Services
Co., Inc. Profit Sharing Plan,
Berkshire Armored Car Services
Co., Inc. and
Gerard S. Redeer

The Plaintiff



Robert L. Leonard, Esq.
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& Murphy, P.C.
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Jack E. Houghton, Jr., Esq.
78 Bartlett Avenue
Pittsfield, MA 01201
Tel: (413) 447-7385
Fax: (413) 445-4296

CERTIFICATE OF SERVICE

I, Robert L. Leonard, Esq., hereby certify that on March 4, 2004, I served a copy of the foregoing document on the parties to the case by mailing a copy of the same postage prepaid to:

Jack E. Houghton, Jr., Esq.
78 Bartlett Avenue
Pittsfield, MA 01201

Jacqueline Powers
60 Kenwood Street
Pittsfield, MA 01201



Robert L. Leonard, Esq.